THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DR. SANJAY PASWAN): (a) to (d) A Draft Free and Compulsory Education for Children Bill, which is proposed to be enacted as a follow up to the Constitution (86th Amendment) Act, 2002, has been circulated to State Governments for comments and has also been placed on the Department's website for inviting suggestion from the public. One of the provisions in the Draft Bill envisages an obligation on recognised but not substantially aided schools to give admission to children in the age group of 6—14 years from families below proverty line, if so directed upto a maximum of 20% of the total strength of the school.

Responses to the draft Bill are still being received

Violation of girls rights

1946. SHRI SANTOSH BAGRODIA: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether the National Commission for Women in association with Tamil Nadu State Commission for Women organized a public hearing on 29th October, 2003 in Chennai on "Violation of Girls Rights"'

(b) if so, the recommendations of the Commission; and

(c) the details of the steps taken by Government for the protection of Child Rights and to award punishments in cases of torture and sexual abuse of children?

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRIMATI JASKAUR MEENA): (a) Yes, Sir.

(b) A number of measures have been recommended particularly for the State Government for the protection and welfare of children.

(c) A Statement is enclosed.

Statement

Details of steps taken by Government for the protection of Child Rights and to award punishments in cases of torture and sexual abuse of children

(c) Action to protect child rights is undertaken by several Ministries/ Departments in the Government of India such as:

(i) Department of Women and Child Development

(ii) Ministry of Health and Family Welfare

(iii) Ministry of Social Justice and Empowerment

(iv) Ministry of Labour.

The Government has enacted various legislations from time to time to safeguard the rights of children against sexual abuse, violence and inhuman treatment. These laws can be categorized under three broad sections:

(1) Crimes committed against children which are punishable under Indian Penal Code (IPC), which include (i) kidnapping for exporting (section 360 IPC), (ii) kidnapping from lawful guardianship (section 361 IPC), (iii) kidnapping for compel for marriage (section 366 IPC), (iv) procuration of minor girls (induced or seduced or forced to illicit intercourse) (section 366-A of IPC), (v) selling of girls for prostitution (section 372 of IPC), (vi) buying of girls for prostitution (section 373 of IPC), (vii) Rape (section 375 of IPC) and (viii) unnatural offences (section 377 of IPC).

(2) Crimes against children which are punishable under Special Laws, which include: (i) Immoral Traffic (Prevention) Act (where minors are abused in prostitution), (ii) Child Labour (Prohibition and Regulation) Act, 1986; and (iii) Child Marriage Restraint Act, 1929.

(3) Protective legislations to protect the children from exploitation and vulnerabilities, which include, (i) Factories Act, 1948, (ii) Hindu Minority and Guardianship Act, 1956, (iii) Hindu Adoption and Maintenance Act, 1956, (iv) The Infant Milk Substitutes Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Act, 1992, (v) Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 2002, (vi) Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1996 and (vii) Juvenile Justice (Care and Protection of Children) Act, 2000.

Financial assistance to creches

1947. SHRI P.K. MAHESHWARI: Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

(a) whether Government provide financial assistance to set up creches for the children of working women belonging to weaker sections;